

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

METROPOLITAN LIFE INSURANCE
COMPANY,

Plaintiff,

v.

Case No. 10-12005

GLORIA DAVIS and GLORIA SIMS POE,

Defendants.

**AMENDED¹ ORDER AWARDING PLAN BENEFITS TO DEFENDANT GLORIA DAVIS
AND DIRECTING THE CLERK OF THE COURT TO PAY PLAN BENEFITS TO
GLORIA DAVIS**

The court held a bench trial in the above-captioned matter on October 18, 2010. At issue was the validity of the designation of Defendant Gloria Davis as the beneficiary of certain life insurance benefits ("Plan Benefits") by decedent James Melvin Burnett on March 1, 2008. The court found, on the record, that Defendant Gloria Sims Poe failed to carry her burden of proving that the designation was invalid on account of undue influence or incompetence. Accordingly, and for the reasons stated on the record,

IT IS ORDERED that the Plan Benefits are AWARDED to Defendant Gloria Davis.

IT IS FURTHER ORDERED that the Clerk of the Court is DIRECTED to pay the principal of nine thousand eight hundred forty-six dollars and seventy-one cents

¹ This order is identical in all respects to the October 21, 2010, Order vacated by the court except that it includes the correct dollar amount for the principal awarded and the explanatory footnote 2.

(\$9,846.71)² plus one hundred percent (100%) of the interest to Gloria Davis, 14062 Fenton Drive, Redford, Michigan 48239.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: October 22, 2010

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, October 22, 2010 by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522

² The initial principal of the Plan Benefits was nine thousand one hundred ninety-one dollars (\$9,191.00). The Plan Benefits earned interest in Plaintiff's possession, and that interest was combined with the principal upon deposit in the registry of the court to create a principal of nine thousand eight hundred forty-six dollars and seventy-one cents (\$9,846.71) in the court's registry.